

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
FILE NO.: 1:18-CV-96

BRIAN HOGAN, et al.,)
Plaintiffs,) **PLAINTIFFS' MOTION FOR**
v.) **AWARD OF PREJUDGMENT**
CHEROKEE COUNTY, et al) **INTEREST**
Defendants,)

)

NOW COME the Plaintiffs and move this Honorable Court to award prejudgetment interest to the Plaintiffs.

1. The complaint was filed on March 14, 2018, in the Superior Court Division of the North Carolina General Court of Justice. [Doc 1-1] The defendants fervently contested the claims, which led to extensive motion practice, including motions to dismiss, extensive discovery and discovery motions, and motions for summary judgment. *See* Docs 9, 13, 21, 27, 32, 52, 56, 60, 62, and 88 (and associated memoranda, responses, and replies).
2. The case was called for trial on May 10, 2021. On May 14, 2021, the jury returned a verdict finding defendants Scott Lindsay, Cindy Palmer and Cherokee County liable for multiple claims, including violations of 42

U.S.C. § 1983. The jury awarded damages for Plaintiff Brian Hogan of \$1.5 million and for Plaintiff H.H. of \$3.1 million. [Doc. 140] The Court entered judgment accordingly on June 21, 2021. [Doc. 147]

3. Plaintiff Brian Hogan is entitled to prejudgment interest in the amount of \$428,498.28.
4. Plaintiff H.H. is entitled to prejudgment interest in the amount of \$885,563.11.
5. A memorandum of points and authorities is being filed contemporaneously with this motion.

Respectfully submitted, this the 3rd day of July, 2021.

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CERTIFICATE OF SERVICE

This is to certify that on July 3 2021, a copy of the foregoing PLAINTIFFS' MOTION FOR AN AWARD OF PREJUDGMENT INTEREST was electronically filed with the Clerk of Court using CM/ECF system, which will send notification to all counsel having made appearances in the case as follows:

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